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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,678	02/16/2001	Gareth J. Mueckl	UEM-101US	3880
7590		10/13/2004	EXAMINER	
Donald J. Ersler		LEE, Y YOUNG		
725 Garvens Ave.		ART UNIT		
Brookfield, WI 53005		PAPER NUMBER		
		2613		

DATE MAILED: 10/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/785,678

Applicant(s)

MUECKL ET AL.

Examiner

Y. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 20-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6/8/01.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's request for reconsideration of the restriction requirement of the last Office action is persuasive and, therefore, the restriction of that action is withdrawn.

### ***Drawings***

2. The drawings are objected to because all diagrammatic blocks and features in Figures 1-6 are required to be distinctly labeled to indicate contents or function with legends (37 C.F.R. 1.83(a), 1.84(o)) since they are necessary for understanding of the drawing. Correction is required.

### ***Specification***

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "the," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The abstract of the disclosure is objected to because of inclusion of legal phraseologies such as "comprising" and "comprises" in lines 2 and 7, respectively. Correction is required. See MPEP § 608.01(b).

***Claim Objections***

5. Claims 23, 25, 28, 31, 33, 35, 36, 39, and 41 are objected to because of the following informalities:

- (a) claims 23, 31, and 39, line 4, "the" should be deleted;
- (b) claims 25, 33, and 41, line 3, "a" should be changed to --the--;
- (c) claim 28, line 8, "of" should be deleted;
- (d) claim 35, line 6, "6" should be deleted; and
- (e) claim 36, line 13, "the" (first occurrence) should be deleted.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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7. Claims 27, 35, and 43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. Claims 27, 35, and 43 recite the limitation "the distance" in line 4. There is insufficient antecedent basis for this limitation in the claims.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 20-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Shishido et al (5,090,259).

Shishido et al, in Figures 2, 6, 62, 84, and 91, discloses a pipe-inspecting apparatus using the same method for televising the interior of a pipeline as specified in claims 20-43 of the present invention, comprising the steps of attaching a camera 8 to a transporter (Fig. 1A); connecting electrically a power control unit 74 to the camera 8; connecting electrically a communication module 86 to the power control unit; connecting a receiver 3 to the communication module 86; placing the transporter in a pipeline 101; providing a master control module having a transmitter 92; and transmitting an electrical signal 91 from the master control module 92 to the receiver 3 to control the movement of the transporter.

With respect to claims 21-43, Shishido et al also discloses providing the pipeline with a manhole, lowering the transporter into the manhole, manipulating the operation of the transporter when lowering thereof (Fig. 84); providing an electrically powered tractor 390 for the transporter; disabling electrical power to the transporter when the master control module 336 is a predetermined distance (e.g. out of range) from the communication module; transmitting from the master control module to the communication module through an opaque barrier 91; providing the master control module with an on-off keyed signal 94; providing a video monitor 75 for viewing the output of the camera 8; providing a reel of electrical cable 1 connected between the power control unit 74 and the transporter, displaying the distance traveled by the transporter by monitoring the movement of the electrical cable 1 with an encoder (e.g.

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feed/take-up controller); and attaching the communication module 86 exterior (Fig. 2) or inside the power control unit (Fig. 6).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y. Lee whose telephone number is (703) 308-7584.

The examiner can normally be reached on (703) 308-7584.

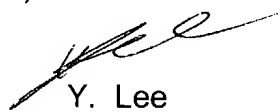
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Y. Lee  
Primary Examiner  
Art Unit 2613

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